

# PLANNING COMMISSION MINUTES

December 5, 2001

## CALL TO ORDER:

Chairman Vlad Voytilla called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

## ROLL CALL:

Present were Chairman Vlad Voytilla, Planning Commissioners Gary Bliss, Eric Johansen, Brian Lynott and Dan Maks. Planning Commissioners Bob Barnard and Russell Davis were excused.

Senior Planner John Osterberg, City Attorney Mark Pilliod, Assistant City Attorney Ted Naemura and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Voytilla, who presented the format for the meeting.

## VISITORS:

Chairman Voytilla asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

## STAFF COMMUNICATION:

On question, Senior Planner John Osterberg indicated that there were no communications at this time.

## NEW BUSINESS:

Chairman Voytilla opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

1        **PUBLIC HEARINGS:**

2  
3        **A. SV2001-0001: TRI-MET SW PALMER STREET VACATION**

4        Applicant requests Street Vacation approval to vacate a 20-foot right-of-way on a  
5        portion of SW Palmer Street located south of SW Merlo Road. The street  
6        vacation will be for approximately 1,225 feet of platted right-of-way. The  
7        Planning Commission, during a public meeting, will review the request and  
8        provide City Council with their recommendation. The City Council, during a  
9        public meeting on January 7, 2002, will review the request and the  
10       recommendation of the Planning Commission through the SV2001-0001  
11       application. The proposed Street Vacation is located on the Tri-Met Bus Facility  
12       site at 16130 SW Merlo Road; Washington County Assessor's Map 1S1-08BB on  
13       Tax Lots 100, 400, 500, and 700. The affected parcels are zoned Light Industrial  
14       (LI) and total approximately 29 acres in size.

15  
16       **B. SV2001-0002: TRI-MET SW RIGGS STREET VACATION**

17       Applicant requests Street Vacation approval to vacate a 20-foot right-of-way on a  
18       portion of SW Riggs Street located south of SW Merlo Road. The street vacation  
19       will be for approximately 1,225 feet of platted right-of-way. The Planning  
20       Commission, during a public meeting, will review the request and provide City  
21       Council with their recommendation. The City Council, during a public meeting  
22       on January 7, 2002, will review the request and the recommendation of the  
23       Planning Commission through the SV2001-0002 application. The proposed  
24       Street Vacation is located on the Tri-Met Bus Facility site at 16130 SW Merlo  
25       Road; Washington County Assessor's Map 1S1-08BB on Tax Lots 100, 400, 500,  
26       and 700. The affected parcels are zoned Light Industrial (LI) and total  
27       approximately 29 acres in size.

28  
29       Mr. Osterberg observed that the City of Beaverton has received a request for the  
30       continuation of these Public Hearings.

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32       Commissioner Maks **MOVED** and Commissioner Johansen **SECONDED** a  
33       motion that SV 2001-0001 – Tri-Met/SW Palmer Street Vacation be continued to  
34       a date certain of December 19, 2001.

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36       Motion **CARRIED**, unanimously.

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38       Commissioner Maks **MOVED** and Commissioner Johansen **SECONDED** a  
39       motion that SV 2001-0002 – Tri-Met/SW Riggs Street Vacation be continued to a  
40       date certain of December 19, 2001.

41  
42       Motion **CARRIED**, unanimously.

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1       **C. CPA 2001-0016: ESPLANADE ROAD COMPREHENSIVE PLAN**  
2       **AMENDMENT AT THE ROUND**

3       A proposal to remove references to SW Esplanade Road from the Comprehensive  
4       Plan text and maps in order to remove the existing road from the project area. .

5       In taking action on the proposed development, the Commission shall base its  
6       decision on the approval criteria listed in Chapter 1, Section 1.3.1., of the  
7       Comprehensive Plan. The development proposal is located west of Watson  
8       Avenue, east of SW Rose Biggi Avenue, and south of the Tri-Met rail line on  
9       Washington County Assessor's Map 1S1-16AA, Tax Lot 6500 & 6600. The  
10      affected parcel is zoned Regional Center-Transit Oriented (RC-TO) and is  
11      approximately 4 acres in size.

12  
13      Mr. Osterberg presented the Staff Report and discussed the proposal for the  
14      removal of SW Esplanade Street from the Comprehensive Plan and related issues,  
15      observing that the applicant for the current series of applications related to The  
16      Round has requested this amendment. He pointed out that this street is mentioned  
17      in one section of the Comprehensive Plan, observing that it only refers to the need  
18      for the Esplanade for two reasons, as follows: 1) to provide pedestrian  
19      connections from Watson Avenue to the Beaverton Central Light Rail Transit  
20      Station; and 2) to provide for internal circulation within The Round, adding that  
21      both of these needs no longer exist. Noting that he would not describe a great  
22      deal of detail with regard to this application, he emphasized that the applicant  
23      could provide more detailed information. He mentioned that the Staff Report  
24      was available on November 5, 2001, providing the required thirty days  
25      notification prior to the Public Hearing, and clarified that a letter from Tualatin  
26      Valley Fire & Rescue, dated November 16, 2001, has also been referenced within  
27      the Staff Report. Concluding, he recommended approval of the application, with  
28      certain recommendations, and offered to respond to any questions or comments.

29  
30      **APPLICANT:**

31  
32      **MIMI DOUKAS**, representing *WRG Design Group*, introduced herself, David  
33      Converse, representing *Converse Architecture*, and Randy McCourt, representing  
34      DKS & Associates. She explained that this fairly straightforward application  
35      requests to remove a street from the Comprehensive Plan, adding that the  
36      applicant would like to provide a little more background regarding the necessity  
37      of removing this street in order to make the development work. She clarified that  
38      this involves more of a functional request to keep The Round development  
39      moving forward.

40  
41      Commissioner Maks expressed his concern, adding that he would like to address  
42      the street removal and applicable criteria, adding that he does not intend to  
43      become in any discussion regarding a project that might be submitted at some  
44      future point.  
45

1 Observing that he had also been concerned with this issue, Chairman Voytilla  
2 cautioned the applicant to limit their testimony to this particular application.

3  
4 **DAVID CONVERSE** noted that this would simplify his job, pointing out that the  
5 Staff Report includes documents in support of the project from both Tri-Met and  
6 ODOT, indicating that as long as the basic function of that road is replicated by  
7 providing for drop-off zones in the neighborhood and that there is connectivity  
8 between those zones, they are satisfied with the removal of this road.

9  
10 Ms. Doukas mentioned that staffs concerns with pedestrian connectivity could  
11 also be addressed at a later date when the development of this general area occurs,  
12 and offered to respond to questions or comments.

13  
14 Chairman Voytilla assured Ms. Doukas that the Commissioners had read all of the  
15 materials as well as the Staff Report, expressing his opinion that they are familiar  
16 with the request.

17  
18 **PUBLIC TESTIMONY:**

19  
20 On question, no member of the public appeared to testify regarding this  
21 application.

22  
23 On question, City Attorney Mark Pilliod indicated that while he has no comments,  
24 he is available to respond to questions.

25  
26 On question, Mr. Osterberg indicated that he had no further comments regarding  
27 this application.

28  
29 The public portion of the Public Hearing was closed.

30  
31 On question, all Commissioners expressed their support of a motion to approve  
32 the application.

33  
34 Commissioner Maks **MOVED** and Commissioner Lynott **SECONDED** a motion  
35 that CPA 2001-0016 – Esplanade Road Comprehensive Plan Amendment be  
36 approved, based upon the testimony, reports and exhibits presented during the  
37 Public Hearing on the matter and upon the background facts, findings and  
38 conclusions found in the Staff Report dated November 5, 2001.

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40 Motion **CARRIED**, unanimously.

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42 **MISCELLANEOUS BUSINESS:**

43  
44 Commissioner Maks referred to the tradition providing that at the first meeting in  
45 December of each year, the senior member of the Planning Commission forward  
46 nomination for leadership through the following year. Observing that during his

1 tenure over the past 7-1/2 years had been the late Charles Heckman, he pointed  
2 out that this tradition had always been performed with vim and vigor, brilliance  
3 and enthusiasm, adding that in his absence, he hopes that Mr. Heckman will  
4 watch over him as he continues this tradition this evening. Expressing his  
5 appreciation to Chairman Voytilla for his efforts these past twelve months and  
6 emphasizing that Mrs. Voytilla has no objection, he nominated him to serve as  
7 Chairman for the year 2002.

8  
9 On question, Commissioner Maks advised Chairman Voytilla that he had not  
10 actually consulted with Ms. Voytilla.

11  
12 Chairman Voytilla accepted the nomination.

13  
14 Observing that it has been a pleasure to serve as Vice-Chairman, Commissioner  
15 Maks pointed out that after serving in the capacity of either Chairman or Vice-  
16 Chairman for the past six years, he finds that he has aged considerably, adding  
17 that he would now like to step aside and provide his services as the crotchety old  
18 senior member on the end of the dais. Noting that he would like to see new blood  
19 serve as leadership on this committee, he nominated Commissioner Barnard, who  
20 has lost hair with every land use action, to serve as Vice-Chairman for the year  
21 2002.

22  
23 Commissioner Johansen **MOVED** and Commissioner Maks **SECONDED** the  
24 motion that nominations be closed and that there be a vote at the next meeting.

25  
26 Motion **CARRIED**, unanimously.

27  
28 Observing that while it is unfortunate that health problems have forced  
29 Commissioner Russell Davis to miss numerous meetings, Commissioner Maks  
30 **MOVED** that Commissioner. Davis be removed from the Planning Commission,  
31 adding that he should be sent a letter of appreciation for his services.

32  
33 Commissioner Johansen **SECONDED** the motion that Commissioner Davis be  
34 removed from the Planning Commission.

35  
36 Motion **CARRIED**, unanimously.

37  
38 Assistant City Attorney Ted Naemura provided an update on land use litigation,  
39 noting that the land use litigations surrounding the Haggens' Store development  
40 have concluded in the Court of Appeals, adding that while this decision was in  
41 favor of the City of Beaverton's decision Haggens ended in court of appeals in  
42 City's favor, it is possible that the applicant may take this issue to the Supreme  
43 Court.  
44

1 Mr. Naemura mentioned that the Conditional Use Permit for the Murray Hills  
2 Christian Church has been upheld as well, adding that the Design Review is still  
3 pending.

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5 Chairman Voytilla reminded everyone that there would be no meeting on  
6 December 12, 2001.

7  
8 The meeting adjourned at 7:25 p.m.